

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AGNES RIVERA-UMPIERRE,

Plaintiff,

22-cv-1667 (PKC)

-against-

ORDER

BKH ACQUISITION HOLDCO I, LLC;
BKH ACQUISITION CORP.,

Defendants.
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CASTEL, U.S.D.J.

The limited subject matter jurisdiction of a district court is best addressed at the outset of a case. It falls upon the Court to raise issues of subject matter jurisdiction *sua sponte*.

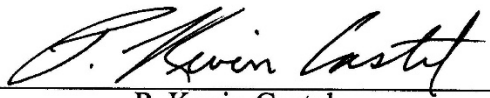
The plaintiff brings this action invoking subject matter jurisdiction by reason of diversity of citizenship. 28 U.S.C. § 1332. Where a complaint premised upon diversity of citizenship names a limited liability company as a party, the complaint must allege the citizenship of natural persons who are members of the limited liability company as well as the place of incorporation and principal place of business of any corporate entities that are members of the limited liability company. See Handelsman v. Bedford Vill. Assocs. Ltd. P'ship, 213 F.3d 48, 51–52 (2d Cir. 2000) (citing Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir. 1998)); Strother v. Harte, 171 F. Supp. 2d 203, 205 (S.D.N.Y. 2001) (“For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members.”); Rule 8(a), Fed. R. Civ. P.

Here, the plaintiff, Agnes Rivera-Umpierre, does not allege the citizenship of the constituent members (persons and entities) of defendant BKH Acquisition Holdco I, LLC. Within 7 days of this Order, plaintiff may serve upon the LLC an interrogatory limited to the citizenship, i.e., state (if a US citizen) or country (if not a US citizen), of all natural persons who are members

of the LLC and, if a corporation is a member, the jurisdiction under whose laws it is incorporated and of its principal place of business. Defendant LLC shall have 7 days to respond to the interrogatory.

Within 30 days of this Order, plaintiff shall amend the complaint to allege the citizenship of each of the constituent members of the defendant LLC, or the action will be dismissed for lack of subject matter jurisdiction.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
March 8, 2022